IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.LAKSHMANA REDDY

TAKEN UP WRIT PETITION NO.24704 OF 2006

Dated : January 25, 2007

Between:

Smt. A. Suvarnamukhi

Petitioner

AND

The Station House Officer,
Subedari Police Station,
Warangal District and others

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.LAKSHMANA REDDY

TAKEN UP WRIT PETITION NO.24704 OF 2006

ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.S.R.VARMA)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2.This writ petition is taken up on the basis of a petition, dated 20.11.2006, by one Smt. A.Suvarnamukhi wife of A. Sudharkar, resident of

Hanamkonda, Warangal District, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, complaining that one Mr. Sunkari Sambaiah, son of Lakshmi Narsu, resident of Ellenda, Wardhannapet Mandal, Warangal District, trespassed into the house of the petitioner along with two others on 13.09.2006 and after administering some chemical, made the petitioner unconscious and raped her to teach her a lesson in connection with the loan transaction; that, subsequently, though a complaint was lodged with the first respondent-the Station House Officer, Subedari Police Station, Warangal, who registered it as Crime No.384 of 2006, did not arrest the said Mr. Sunkari Sambaiah, because of his high profile status in the society.

3. In pursuance of the notice, issued by this Court, the Sub-Inspector of Police, Subedari Police Station, Warangal District, has filed a counter-affidavit, stating, *inter alia*, that the petitioner had lodged a complaint on 13.09.2006 alleging that one Subkari Sambaiah and three others might have committed rape on his wife – the petitioner, attempted to kill her and warned the petitioner not to give evidence in Cr.No.407 of 2005, registered for the offences punishable under Sections 354 and 506 I.P.C., and also administered narcotic drugs with a warning to kill her. Basing on the said complaint, a case in Cr.No.384 of 2006 for the offence punishable under Sections 448, 307, 376 r/w 34 I.P.C., was registered on the same day and investigation was taken up by him; that during the course of investigation, as many as 23 witnesses were examined and their statements were recorded and the investigation is still pending; that no clues are available as to who actually committed rape on the petitioner and the report of the Forensic Science Laboratory is still awaited and after receipt of such report, appropriate action would be initiated

against the accused.

4. The counter-affidavit further discloses that the investigation conducted so far revealed that there are serious disputes with regard to money transactions between the petitioner and the alleged accused by name Sunkari Sambaiah.

5. It appears that so far no arrest of the accused had taken place. However, having regard to the facts and circumstances, we are of the view that since the offence, allegedly committed by the assailant by name Sunkari Sambaiah and three others, is very serious in nature, the respondents shall take all necessary steps to conduct investigation with all intensity, in order to apprehend the accused.

6. It is further on record that the complaint had been lodged in the month of September, 2006, but there is no substantial progress in the investigation. Therefore, the Superintendent of Police, Warangal District, is directed to supervise personally into the present crime and report to the Registrar (Judicial), High Court of A.P., Hyderabad, whenever there is a notable headway in the investigation.

7. With the above direction, the writ petition is closed, at the stage of admission. However, there shall be no order as to costs.

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D.S.R.Varma, J.

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P.Lakshmana Reddy, J.

25TH JANUARY 2007
MAS/KRK